

Appl. No. 09/857,852
Amdt. dated January 26, 2004
Reply to Office Action of September 25, 2003

REMARKS/ARGUMENTS

Amendments have been made to the specification. Specifically, paragraphs 4, 6, 9, 10, 16, 18, and 19 have been rewritten to correct grammatical errors. No new matter is added by this amendment.

The following clarifications have been made to aid the examiner in reviewing the responses to the rejections in light of the new claims. Claims 1-19 have been canceled. Claims 22-35 are new. The limitations of claims 1-3 have been canceled. The limitations of claims 4, 5, 6, and 7 have been incorporated into new independent claim 22. The limitations of claim 8 have been incorporated into new claim 23. The limitations of claim 9 have been incorporated into new claim 24. The limitations of claim 10 have been incorporated into new claim 25. The limitations of claim 11 have been incorporated into new claim 26. The limitations of claim 12 have been incorporated into new claim 27. The limitations of claim 13 have been incorporated into new claim 28. The limitations of claim 14 have been incorporated into new claim 29. The limitations of claim 15 have been incorporated into new claim 30. The limitations of claim 16 have been incorporated into new claim 31. The limitations of claim 17 have been incorporated into new claim 32. The limitations of claim 18 have been incorporated into new claim 33. The limitations of claim 19 have been incorporated into new claims 34 and 35.

Claims 1-3 have been rejected under 35 U.S.C. §102(b) as being anticipated by Carlstrom (3,406,724).

Product claims 1-3 have been canceled. The limitations set forth in claims 1-3 have not been incorporated into new method claims 22-35. Accordingly, the rejection is moot.

Claims 1, 3-5, 7, 8, and 10 have been rejected under 35 U.S.C. §102(b) as being anticipated by Schumacher (5,573,040). This rejection is respectfully traversed in light of the present amendment.

Claims 1 and 3 have been canceled.

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In addition to the limitations of claims 4, 5, and 7, independent claim 22 recites a mold assembly comprising a top ring mold and a base ring mold. Schumacher discloses the production of a composite concrete pipe having inner and outer plastic surfaces and a central core of a concrete. The pipe is formed by arranging the inner and outer tubes on a casting palette. The inner and outer tubes are held in place by radially outwardly moveable arcuate members and radially inwardly moveable arcuate members. There is no disclosure in Schumacher of the use of a top ring mold and a base ring mold to hold the inner and outer tubes in place.

Accordingly it is submitted that Schumacher fails to teach every element of new independent claim 22 and the rejection should be withdrawn.

Claims 23 and 25 depend from independent claim 22 and are thus believed to be allowable for the reasons stated above.

Claims 1, 2, 4, 6, 7, and 10-19 have been rejected under 35 U.S.C. §102(b) as being anticipated by Boatman (WO 9836897). This rejection is respectfully traversed in light of the present amendment.

Claims 1 and 2 have been canceled.

In addition to the limitations of claims 4, 6, and 7, independent claim 22 recites a mold assembly comprising a top ring mold and a base ring mold. Boatman discloses a method for manufacturing a composite structure using sandwich construction comprising two pre-formed laminates on respective sides of the core material. The "laminates are molded to a desired shape and, remaining within their molds, are then used, in a spaced apart relation, as part of the form work for the core material."

The present invention, discloses a method of manufacturing pipe wherein the laminates are pre-formed and then arranged between the top ring mold and the base ring mold. Boatman does not disclose a method of manufacturing pipe using a top ring mold and a base ring mold.

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Accordingly it is submitted that Boatman fails to teach every element of new Independent claim 22 and the rejection should be withdrawn.

Claims 25-35 depend from independent claim 22 and are thus believed to be allowable for the reasons stated above.

Claims 1, 3-5, 7, 8, 10, and 14 have been rejected under 35 U.S.C. §102(e) as being anticipated by Majnaric (5,927,346). This rejection is respectfully traversed in light of the present amendment.

Claims 1 and 3 have been canceled.

In addition to the limitations of claims 4, 5, and 7, independent claim 22 recites a mold assembly comprising a top ring mold and a base ring mold. Majnaric discloses the use of inner and outer sleeves separated by spacer rings. The spacer rings comprise a plurality of interlocking ring forms which have nesting members to allow for the interconnection thereof. Majnaric does not disclose the use of a top ring mold and a base ring mold between which the inner and outer laminates extend. The spacer rings disclosed in Majnaric do not form the top or base for the pipe, but merely act as spacers at predetermined intervals along the inner and outer sleeves.

Accordingly it is submitted that Majnaric fails to teach every element of new independent claim 22 and the rejection should be withdrawn.

Claims 23, 25, and 29 depend from independent claim 22 and are thus believed to be allowable for the reasons stated above.

Claims 2, 6, 9, 11, 12, 14-16, 18, and 19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Schumacher (5,573,040) in view of Rubenstein (3,742,985).

Claim 2 has been canceled.

In addition to the limitations of claim 6, independent claim 22 recites a mold assembly comprising a top ring mold and a base ring mold. Rubenstein discloses a method of manufacturing a pipe which uses plastic concrete. The method of manufacture

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disclosed in Rubenstein does not involve the use of top ring molds or base ring molds between which inner and outer pre-formed laminates are arranged for the pouring of plastic concrete therebetween. As discussed above, Schumacher does not disclose the use of a top ring mold and a bottom ring mold to hold the inner and outer tubes in place.

Thus, it would not have been obvious to one of ordinary skill in the art to use a top ring mold and a base ring mold in the manufacture of pipe, as neither Schumacher nor Rubenstein disclose the top ring mold and base ring mold. Accordingly, the rejection should be withdrawn.

Claims 24, 26, 27, 29-31, 33, and 34-35 depend from independent claim 22 and are thus believed to be allowable for the reasons stated above.

Claims 2, 6, and 11-19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Schumacher (5,573,040) in view of Boatman (WO 9836897). This rejection is respectfully traversed in light of the present amendment.

Claim 2 has been canceled.

In addition to the limitations of claim 6, independent claim 22 recites a mold assembly comprising a top ring mold and a base ring mold. As discussed above, neither Schumacher nor Boatman disclose the use of a top ring mold and a base ring mold between which inner and outer pre-formed laminates are arranged.

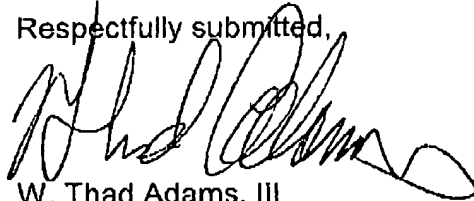
Thus, it would not have been obvious to one of ordinary skill in the art to use a top ring mold and a base ring mold in the manufacture of pipe, as neither Schumacher nor Boatman disclose the top ring mold and base ring mold. Accordingly, the rejection should be withdrawn.

Claims 26-35 depend from independent claim 22 and are thus believed to be allowable for the reasons stated above.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections is requested. Allowance of claims 22-35 at an early date is solicited.

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Respectfully submitted,



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